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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) No. CR 12-0703 WHA (JCS)
Plaintiff,) [PROPOSED] DETENTION ORDER
v.)
CHRISTOPHER BATTLE,)
Defendant.)

This case came before the Honorable Joseph C. Spero on October 10, 2012, for hearing on the government's motion for detention. The defendant was represented by Assistant Federal Public Defender Edward Hu. The United States was represented by Assistant United States Attorney Owen Martikan. After hearing the parties' proffers and arguments and reviewing their papers, the Court found by clear and convincing evidence that no condition or combination of conditions could reasonably assure the safety of any other person and the community. 18 U.S.C. § 3142(f). Because the Indictment alleges a violation of 18 U.S.C. § 2251 involving a minor victim, it is presumed – subject to rebuttal by the defendant – that no condition or combination of conditions will reasonably assure the safety of the community. 18 U.S.C. § 3142(e)(3).

1 The Court based its finding on the defendant's criminal history, notably his 2010
2 conviction for sexual intercourse with a minor over three years younger than himself, a crime that
3 involved a 12-year-old girl. Following this conviction and the defendant's release on parole, he
4 was found to have violated his parole four times by engaging in inappropriate contact with the
5 same girl, who was still a minor. This conduct also violated a stay-away order that had been
6 served on the defendant following his arrest on the 2010 statutory rape charge.

7 These findings of fact are submitted pursuant to 18 U.S.C. § 3142(i)(1) and 18 U.S.C. §
8 3142(e).

9 The Court further directed the defendant be committed to the custody of the Attorney
10 General for confinement in a corrections facility separate, to the extent practicable, from persons
11 awaiting or serving sentences or being held in custody pending appeal. *See* 18 U.S.C. §
12 3142(i)(2).

13 The Court further directed that the defendant be afforded reasonable opportunity for
14 private consultation with counsel. *See* 18 U.S.C. § 3142(i)(3).

15 The Court further directed that, on order of a court of the United States or on request of an
16 attorney for the Government, the person in charge of the corrections facility in which the person
17 is confined deliver the person to a United States marshal for the purpose of an appearance in
18 connection with a court proceeding. *See* 18 U.S.C. § 3142(i)(4).

19
20 IT IS SO ORDERED.

21
22 DATED: 10/17/12

